

**GOVERNMENT OF ANDHRA PRADESH**

ABSTRACT

PUBLIC SERVICES –PANCHAYAT RAJ DEPARTMENT – Allegation of corruption of demand and acceptance of bribe by Sri Ganta Emmanuel, Formerly Panchayat Secretary (Executive Officer), Poranki Panchayat, Penamaluru Mandal, Krishna district – Trapped on 02.01.2010 – Sanction of Prosecution under the prevention of corruption Act, 1988 – Accorded – Reg.

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**PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.IV) DEPARTMENT**

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G.O.Rt.No 368

Dated: 23 -11-2011

ORDER:

WHEREAS, Sri Ganta Emmanuel, worked as Panchayat Secretary (Executive Officer), Poranki Panchayat, Penamaluru Mandal, Krishna District from 25.06.2008 to 02.01.2010 and by virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 ( Act 49 of 1988).

2. AND WHEREAS, Smt. Gattu Vani W/O Sambasiva Rao is Surpanch of Poranki Gram Panchayat, Penamaluru Mandal, Krishna District.

3. AND WHEREAS, it is alleged that Smt. Gattu Vani is the Surpanch of Poranki Gram Panchayat for about 3 ½ years. On 30.12.2009 Sri Kandula Ravindra Kumar, formerly Assistant Audit Officer, Office of the District Audit Officer, State Audit, Krishna, Machilipatnam went to the office of Poranki Gram Panchayat and audited records for the financial year 2008-2009 and completed the audit. Sri Kandula Ravindra Kumar informed Smt. Gattu Vani that audit of the office was completed and demanded Rs.50,000/- as bribe to send the audit report without any remarks to the District Panchayat Office, Machilipatnam and further stated that an adverse audit report would be sent if he was not paid. Smt. Gattu Vani informed that it would not possible to give bribe from the Panchayat money, but Sri Kandula Ravindra Kumar reiterated that he would write an adverse audit report. Sri Ganta Emmanuel, formerly Panchayat Secretary (Executive Officer Gr-II) also informed Smt. Vani to meet the demand of bribe of Rs.50,000/-. The Sri Kandula Ravindra Kumar, Formerly Assistant Audit Officer, office of the District Audit Officer, State Audit, Krishna, Machilipatnam asked Smt. Gattu Vani to pay the bribe of Rs.50,000/- demanded by him on 2.1.2010 through Sri Ganta Emmanuel in the Panchayat Office and Sri Emmanuel also pressurized Smt. Gattu Vani to get ready the demanded bribe. As there is no other alternative, Smt. Gattu Vani unwillingly agreed to pay the bribe amount and gave a report to the ACB officials against Sri K.Ravindra Kumar and Sri Ganta Emmanuel. Basing on the above complaint a case in Cr.No. 01/RCT-ACB-VJA/2010 U/s 7 of the Prevention of Corruption Act, 1988 was registered on 02-01-2010 at 11.45 A.m after obtaining permission from H.O., ACB, Hyderabad and took up investigation.

4. AND WHEREAS, after completion of proceedings drafted under a cover of Mediators Report-1 on 02.01.2010 at 2.45 pm the Deputy Supdt. of police along with Smt. Gattu Vani, Mediators, Inspectors and other members of the trap party left the DSP, ACB Office in two vehicles, reached the vicinity of the Panchayat office, Poranki. As per the Instructions of the DSP, Smt. Gattu Vani went straight into the meeting hall and requested Sri Kandula Ravindra Kumar about audit report. Then Sri Ravindra Kumar reiterated his earlier demand, Smt. Vani stated that she brought the bribe amount. Sri. Kandula Ravindra Kumar asked her to give the demanded bribe to Sri Ganta Emmanuel, who was sitting beside him. Accordingly Smt. Gattu Vani opened her cash hand bag, took out a wad of currency notes and handed over to Sri Ganta Emmanuel, who had received it with his right hand, counted the notes with both the hands and immediately gave the wad to Sri Kandula Ravindra Kumar. Sri kandula Ravindra Kumar received the wad with his right hand, checked the same with his two hands and gave the wad to Sri Kagg Venkatappaiah, Office Subordinate (Attender)who had been standing beside them, listening unto the conversation and watching the transaction. Then Sri K. Ravindra Kumar told Sri Kagg Venkatappaiah that he would collect the amount when he leaves the office for his residence. Sri K. Venkatappaiah received the tainted bribe amount from Sri Kandula Ravindra Kumar with his right hand and was holding the same. Smt. Gattu Vani requested the Sri Kandula Ravindra Kumar to complete the audit and send a report soon with out any remarks and Sri. Kandula Ravindra Kumar assured her that he would complete the audit and submit a favorable report soon to the District Audit Officer. Smt. Gattu Vani come out of the office of Sri. K. Ravindra Kumar and gave pre-arranged signal to the trap party members. Immediately, DSP and other members of the trap party including mediators rushed into the Panchayat office, Poranki. Then the DSP got

conducted SC solution tests on both hand fingers of Sri K. Ravindra Kumar and proved positive. On the version of the DSP got conducted SC solution tests on both hand fingers of Sri Ganta Emmanuel and proved positive. When the DSP asked Sri Emmanuel about the tainted amount he stated that he received a wad of currency notes from Smt. Gattu Vani and handed over to Sri K. Ravindra Kumar and Sri. Ravindra Kumar after verification of the tainted amount handed over to Sri Kagga Venkatappaiah for safe custody. The DSP got conducted SC solution tests on both hand fingers of Sri Kagga Venkatappaiah and right hand fingers solution turned into pink color and left hand solution remained unchanged. When questioned about tainted amount, Sri Kagga Venkatappaiah led the trap party to the North West corner of the meeting hall and opened a steel tiffin box kept on a table and showed a wad of currency notes. As per the instructions of the DSP, one of the mediators picked the tainted currency notes found in the tiffin box and found the serial numbers when compared with pre-trap proceedings found tallied. The chemical test conducted on the inner linings of the tiffin box, which came into contact with the tainted amount with a cotton swab proved positive. The resultant solutions were seized. The DSP also seized the tainted amount of Rs.50,000/-. Tiffin box connected records for the purpose of further investigation.

5. AND WHEREAS, the said acts of Sri Ganta Emmanuel, formerly Panchayat Secretary (Executive Officer), Poranki Panchayat, Penamaluru Mandal, Krishna District constitute offences punishable under sections 7 & 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

6. The investigation also revealed that Sri K. Ravindra Kumar, Asst. Audit Officer and Sri Ganta Emmanuel, Panchayat Secretary after their release on bail supported by Sri V.Brahmam, Junior Asst., Gram Panchayat Office, Poranki tampered with the evidence by creating false entries in page 88 of Cash Book of Gram Panchayat, Poranki for the year 2010, which constitute the offences punishable U/Sec. 465 and 201 of Indian Penal Code, 1860.

7. AND WHEREAS, the Government of Andhra Pradesh being competent authority to remove Sri. Ganta Emmanuel S/o Israel, Formerly Panchayat Secretary (Executive Officer) Poranki Panchayat, Penamaluru Mandal, Krishna District from Government service after fully and carefully examining the material (i.e. Final Report, F.I.R copy., mediator reports, Gist of statement of witnesses etc.,) placed before them in respect of the afore said acts and having regarded to the circumstances of the case, consider that the said Sri Ganta Emmanuel, Formerly Panchayat Secretary (Executive Officer), Poranki Panchayat, Penamaluru Mandal, Krishna district should be prosecuted in a court of Law.

8. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and Sec. 197 of the Code of the Criminal Procedure 1973, the Government of Andhra Pradesh hereby accord sanction for the prosecution of the above said Sri Ganta Emmanuel S/o Israel, formerly Panchayat Secretary (Executive Officer), Poranki Panchayat, Penamaluru Mandal, Krishna district for the above said offences punishable under sections 7 & Sub-section(2) of Section (2) of Section 13 read with clause(d) of Sub section(1) of Section13 of the Prevention of Corruption Act, 1988 and Sections. 465 and 201 of Indian Penal Code, 1860 and for any other cognate offence punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and also for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJIV SHARMA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General, Anti-Corruption Bureau,  
Andhra Pradesh, HYDERABAD  
**Copy**  
Law (A) Department.

//FORWARDED BY ORDER//

SECTION OFFICER